

Date = _____?

Changes to the Permit from Draft to Final

Upon further consideration of some of the technical issues relating to this facility, the Department has incorporated several changes and/or clarifications in this final permit. The Department has determined that all these changes are either in conformance with N.J.A.C. 7:14A-16.5 or are included in the NJPDES Regulations at N.J.A.C. 7:14A-1 et.seq. As a result, these changes do not require reissuance of the draft and a reopening of the public comment period.

- The Department has made a change to the monitoring frequency of Acute WET in Part III from a frequency of annual to a frequency of twice per year. An explanation for this change is included in the Response to Comments document in Response 6.
- The Department is requiring the use of method 1631E for mercury monitoring in accordance with N.J.A.C. 7:9B-15(e)7, as part of the Waste Characterization Requirement (Part III). Inclusion of this method is necessary since this facility discharges to a waterbody that is included in the Total Maximum Daily Load for New York Harbor dated July 26, 1994.
- The Department has included a condition at Part IV, Section G. 4. regarding a prohibition on attaining effluent limitations through dilution. This means that the permittee cannot attain effluent limitations by diluting the effluent with other waters prior to discharge to the receiving waterbody. This condition is in accordance with the NPDES regulations at N.J.A.C. 7:14A-6.2(a)3.
- The Department has included a condition in Part IV, section G.3 regarding the installation and maintenance of an outfall tag at DSN 001A in accordance with N.J.A.C 7:14A-6.2(a)9. size?
- To improve clarity, the Department has included modified language regarding the cleaning of the dry dock and associated discharge via DSN 001A before the dry dock is filled with bay water. This language is included in Part III (Comments section) as well as in Part IV.G.5.a.

Additional Information on Certain Permit Conditions

The Department maintains that the inclusion of TOC as an oxygen demanding parameter is appropriate and in conformance with the NJPDES Regulations. The TOC limit was originally included in the 2008 NJPDES permit. The regulations at N.J.A.C. 7:14A-12.4(c) allow for the substitution of Total Organic Carbon (TOC) in place of BOD₅. The Department has determined that TOC is a more appropriate test than BOD₅ for this industrial facility as BOD₅ is generally more appropriate for domestic treatment plants. In addition, the Department has selected TOC rather than COD given that there can be chloride ion interferences with the COD test in a saline water environment.



BAYONNE DRY DOCK & REPAIR CO INC: NJPDES Permit No. **NJ 022 5746**

CONSTITUTION AVE, BAYONNE, NJ

Minor modification in accordance with NJAC. 7:14A-16.5. – 04/2011

Kim McEathron suggest

BAYONNE DRY DOCK & REPAIR CO

NJ0165808 DST = permit type

Address: Constitution Ave, Bayonne, NJ 07002 Hudson County

NJDEP POC = Kevin Ball, Bureau of Nonpoint Pollution Control (609)633-7021

Receiving Discharge: *Stream* Upper NY Bay

Stream Classification SE2(C2) *Watershed* Newark Bay / Kill Van Kull / Upr NY Bay

Stormwater Discharge Renewal Permit Action: 11/18/15 NJDEP Bulletin Notice

The above named applicant has applied for a NJPDES permit renewal to the NJDEP, Bureau Nonpoint Pollution Control. The applicant is involved with the repairing of commercial and military ships under the **SIC 3731** The proposed permit regulates stormwater discharges to the Upper New York Bay, classified as SE2(C2).

I was involved in the review process. best to get the *final signed version* from. There is a **NJPDES discharge permit for the sump pump** (8" discharge pipe) and a **separate NJPDES stormwater permit** for the Facility. SW permit is not yet renewed, but is under the (reverted back to orig permit – only for SW).

Jaqueline Rios of the *NPDES permit group* and I recommended the sampling inspection. I accompanied NJ on one of their inspections so I have a bit of background info. I can provide you (although EPA's report itself isn't much because EPA didn't lead it). The permit does include descriptions and flow charts of the operations.

Documents attached:

- EPA's oversight inspection documentation – 3560

- "NJDEP BDD" is a presentation NJDEP permitting put together to describe the operations and issues identified prior to issuing the enforcement action and the new permit
- NJDEP issued an AO with a *proposed* \$950,000 penalty for automatic penalties for effluent limit violations – cover letter and order (re-submitted corrected DMRs – via NODI, reduced penalty to \$700,000.
- Final ACO – includes interim limits, treatment requirements and \$377,000 penalty payment

Kimberly McEathron, DECA-WCB - 20th Floor: (212) 637-4228

Christine Blaney – on-going case. ACO 609-468-8849 northern enforcement – Cedar Knolls.

Take in military ships (e.g. Intrepid) – flood the dock, float the ship in, close the caisson door and pump the water out. Ship is then held up w/block or other supports. Sediment just beyond the caisson door is what they **sample once per yr.** sediment sampling just beyond the caisson is part of the NJPDES permit.

Wastewater from DSN 001A consists of discharges from the sump pumps that are located inside the dry-dock which discharge into the harbor. The water is discharged on an intermittent basis from a 8 6 inch non-submerged pipe and can contain water from the leaking caisson gate, water from the washing of boat hulls, various other leaking water, firehose testing, and stormwater. Wastewater may include paint chips (containing metals), spent abrasives (copper slag), cleaning/paint stripping solvents, ship surface contaminants, bilge and ballast tank residuals, rinse water, waste equipment cleaning water, and overspray from painting operations (containing paint pigments and solvents).

Permit expired 2013 and then **split the permit into 2.**

Almost all req'ts under SW permit are **m.o.** except Pet H-C's mo = 10, daily max = 15. pH = 6 – 9.

001 = direct dischg. (Part 3) ignore outfall 001 in expired permit.

002, 3, 4, 5 and 6 are still active.

Enforcement sampling??? – interim limits under ACO (Cu and Zn) issued an AO. 300 ug/l mo x and daily max

They are constructing a WWTP. What are the goals??

Investing a lot of money. Start **Feb 5 w/constrxn.** 120 days to finish.

Port Authority property?. Got TWApprovals. Possibly end of Aug, they may be done.

Touch base w/Christine. Need lots of people *and heavy rainfall.* ?

VA – says to put off to next yr. (3/9/16)

Update: 3/11 - Hi Kathleen, Also, my supervisor (Justine Modigliani) expressed in an email to Virginia (and we were cc'd) on 3/11/2016 that we would like the CSI to be conducted prior to completion of the treatment system in August 2016.

Bayonne Dry Dock & Repair Corp. operates a full service ship repair yard located in the Port Jersey area of New York/New Jersey harbor. Conveniently situated just miles from the Verrazano Bridge, the Bayonne facility has no aerial draft restrictions and is ideal for both commercial and government vessels. Our graving dock measures 1092' x 148', with a dock floor load capacity of 99,000 tons. Complementing the yard's full service machine, pipe and valve shops is a professional staff of experienced marine fabrication and repair craftsmen. Available 24-hours a day, Bayonne Dry Dock offers high quality, expert service on any standard or specialized job, particularly in an emergency.



BAYONNE DRY DOCK & REPAIR CO INC: NJPDES Permit No. **NJ 022 5746**
 CONSTITUTION AVE, BAYONNE, NJ

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Kimberly McEathron, DECA-WCB - 20th Floor, NY 10007 Phone: (212) 637-4228 Fax: (212) 637-3953

Christine Blaney – on-going case. ACO 609-468-8849

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Lab ?? = Pet HC's... part of O/G .. HEM.

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United States Environmental Protection Agency
Washington, D.C. 20460
Water Compliance Inspection Report

Form Approved.
OMB No. 2040-0057

Section A: National Data System Coding (i.e., PCS)

Transaction Code	NPDES	yr/mo/day	Inspection Type	Inspector	Fac Type
1 N 2 5	3 N J 0 1 6 5 8 0 8 11	12 1 4 0 4 0 1 17	18 O	19 T	20 2
Remarks					
2					
Inspection Work Days	Facility Self-Monitoring Evaluation Rating	B1	QA	Reserved	
6 1 69	70	71	72	73	74 7 80

Section B: Facility Data

Name and Location of Facility Inspected (for industrial users discharging to POTW, also include POTW name and NPDES permit number)	Entry Time/Date	Permit Effective Date
Bayonne Dry Dock & Repair Corp. 100 Military Ocean Terminal Street Bayonne, NJ 07002	11:00 AM 04/01/2014	03/01/2008
	Exit Time/Date	Permit Expiration Date
	1:00 PM 04/01/2014	02/28/2013
Name(s) of On-Site Representative(s)/Title(s)/Phone and Fax Number(s)	Other Facility Data	
Kevin Nugent, Director of Health, Safety and Environment Bayonne Dry Dock & Repair Corp. P.O. Box 240, Bayonne, NJ 07002-0240 Phone: 347-675-8876	SIC: 3731 (Ship Building and Repair) Lat, Long: 40.662817, -74.071863	
Name, Address of Responsible Official/Title/Phone and Fax Number(s)	Contacted	
Kevin Nugent, Director of Health, Safety and Environment, Bayonne Dry Dock & Repair Corp. P.O. Box 240, Bayonne, NJ 07002-0240 Phone: 347-675-8876	X Yes No	

Section C: Areas Evaluated During Inspection (Check only those areas evaluated)

<input checked="" type="checkbox"/> Permit	<input type="checkbox"/> Flow Measurement	<input checked="" type="checkbox"/> Operations & Maintenance	<input type="checkbox"/> CSO/SSO (Sewer Overflow)
<input type="checkbox"/> Records/Reports	<input type="checkbox"/> Self-Monitoring Program	<input type="checkbox"/> Sludge Handling/Disposal	<input checked="" type="checkbox"/> Pollution Prevention
<input type="checkbox"/> Facility Site Review	<input type="checkbox"/> Compliance Schedules	<input type="checkbox"/> Pretreatment	<input type="checkbox"/> Multimedia
<input type="checkbox"/> Effluent/Receiving Water	<input type="checkbox"/> Laboratory	<input checked="" type="checkbox"/> Storm Water	<input type="checkbox"/> Other:

Section D: Summary of Findings/Comments (Attach additional sheets of narrative and checklists as necessary)

Other individuals present at the time of the inspection:

Christine Blaney, NJDEP-Northern Bureau of Water Compliance and Enforcement, 973-656-4099;
Kevin Ball, NJDEP-Bureau of Nonpoint Pollution Control, 609-984-3711; and *WDEP.NJ.GOV*
Daniel Kuti, NJDEP-Bureau of Nonpoint Pollution Control, 609-633-7021

EPA accompanied NJDEP on a site visit of the Bayonne Dry Dock & Repair Corp. facility located at 100 Military Ocean Terminal Street in Bayonne, NJ. NJDEP is currently the lead agency and is in the process of following up with the Facility to address identified permit violations, including but not limited to; zinc and copper effluent limit violations at Outfall 001 and poor housekeeping practices including exposed source material (spent grit materials, paint, ballast material, scrap metal and blasting area debris).

See attached photograph log and photographs for more details.

Name(s) and Signature(s) of Inspector(s)	Agency/Office/Phone and Fax Numbers	Date
 Kimberly McEathron, Physical Scientist	EPA/DECA-WCB/ (212) 637-4228 FAX: x3953	4/25/2014
Signature of Management Q/A Reviewer	Agency/Office/Phone and Fax Numbers	Date
 Justine Modigliani, P.E., Compliance Section Chief	EPA/DECA-WCB/ (212) 637-4268 FAX: x3953	5/2/14